

REMARKS/ Arguments

In response to the Office Action mailed October 22, 2003, Applicant respectfully requests that the Examiner reconsider his rejection of the claims.

Claims 6-13 remain.

Claims 1-5 are being cancelled.

Claims 6, 7, 12, and 13 are being amended.

Claims 1 - 7, 12 and 13 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 1 – 5 have been cancelled and Claims 6 – 7 and 12 – 13 have been amended into statutorily permissible method claims.

Claims 6 –13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lyons, et al.* (U.S. Patent 6,075,798) (hereinafter "the *Lyons* reference").

Applicant respectfully traverses these rejections.

The *Lyons* reference does not disclose or suggest providing extension bits within a packet header which indicate whether the fields within that header have been modified. Instead, the *Lyons* reference only discloses a system in which extension bits to the header are used to indicate changes *external* to the header. Specifically, the disclosed extended header only indicates that the transmission bit rate of the following data packets has changed (the *Lyons* reference, Col. 9, Lines 36 – 41). The *Lyons* reference does not suggest that the described header extensions could be used to indicate changes within the header itself.

No new matter has been added, but the claims merely amended to more particularly point out and distinctly claim the subject matter Applicants believe is inventive.



ATTORNEY DOCKET NO
008498.PO28

5

PATENT
U.S. Ser. No. 09/293,492

Applicants respectfully submits that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.

With the addition of no new claims, no additional filing fees are due. However, Applicant respectfully requests a One Month Extension of Time to File Response as shown by the attached SB/22 with its filing fees in the amount of \$110.00 attached with the Fee Transmittal SB/17. Also, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 745-5374.

Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicant

February 18, 2004

By: James J. Murphy
James J. Murphy
Reg. No. 34,503

P. O. Box 50784
Dallas, Texas 75201
(214) 745-5374

RECEIVED
MAR 02 2004
Technology Center 2600

DALLAS_I\3926222\2
2836-P255US 02/17/2004

WSM Docket Number 2836- P255US